



#3

ATTORNEY'S DOCKET NO.: 2003080-0083 (SK-943-US)

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

NOVEL MACROCYCLES AND USES THEREOF

the specification of which (I authorize Choate, Hall & Stewart to check one of the following three choices, and fill in the blanks, if applicable):

_____ is attached hereto;

 X was filed on August 24, 2001 as Application Serial No. 09/938,754 and amended on _____ (if applicable); or

_____ was filed as PCT international application No. _____, on _____ and was amended under PCT Article 19 on _____ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

_____ (Number)	_____ (Country)	_____ (Day/Month/Year/Filed)	_____ Yes	_____ No
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_____ (Number)	_____ (Country)	_____ (Day/Month/Year/Filed)	_____ Yes	_____ No
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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)

(filing date)

(status-patented, pending, abandoned)

(Application Serial No.)

(filing date)

(status-patented, pending, abandoned)

PCT Applications designating the United States:

(PCT Appl. No.)

(U.S.S.N.)

(status-patented, pending, abandoned)

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Provisional Application(s):

60/228,277

(Application Serial No.)

August 25, 2000

(filing date)

60/304,553


(Application Serial No.)

July 11, 2001

(filing date)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of first inventor Samuel J. Danishefsky

Inventor's signature  Date: Feb 19 2002

Residence 22 Brayton Street, Englewood, New Jersey 07631 US

Citizenship US

Post Office Address Same

Full name of second inventor Robert M. Garbaccio

Inventor's signature _____ Date: _____

Residence 133 Addison Lane, Lansdale, Pennsylvania 19446 US

Citizenship US

Post Office Address Same

Full name of third inventor Daniel K. Baeschlin

Inventor's signature _____ Date: _____

Residence In der Schappe 141, CH-4144, Arlesheim, Switzerland

Citizenship CH

Post Office Address Same

Full name of fourth inventor Shawn J. Stachel

Inventor's signature _____ Date: _____

Residence 422 Longleaf Drive, Perkasio, Pennsylvania 18944 US

Citizenship US

Post Office Address Same

Full name of fifth inventor David Solit

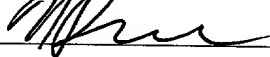
Inventor's signature  Date: 2/12/02

Residence 450 E. 63rd Street, Apt. 4L, New York, New York 10021 US

Citizenship US

Post Office Address Same

Full name of sixth inventor Neal Rosen

Inventor's signature  Date: 2/7/02

Residence 171 Jones Road, Englewood, NJ 07631 US

Citizenship US

Post Office Address Same

3329446_1.DOC



#3

ATTORNEY'S DOCKET NO.: 2003080-0083 (SK-943-US)

DECLARATION

I, _____, as a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

NOVEL MACROCYCLES AND USES THEREOF

the specification of which (I authorize Choate, Hall & Stewart to check one of the following three choices, and fill in the blanks, if applicable):

_____ is attached hereto;

 X was filed on August 24, 2001 as Application Serial No. 09/938,754 and amended on _____ (if applicable); or

_____ was filed as PCT international application No. _____, on _____ and was amended under PCT Article 19 on _____ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

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Prior Foreign Application(s):

_____ (Number)	_____ (Country)	_____ (Day/Month/Year/Filed)	Yes	No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year/Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

_____	_____	_____
(Application Serial No.)	(filing date)	(status-patented, pending, abandoned)

_____	_____	_____
(Application Serial No.)	(filing date)	(status-patented, pending, abandoned)

PCT Applications designating the United States:

_____	_____	_____
(PCT Appl. No.)	(U.S.S.N.)	(status-patented, pending, abandoned)

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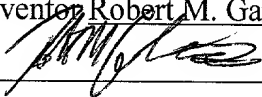
Provisional Application(s):

<u>60/228,277</u>	<u>August 25, 2000</u>
(Application Serial No.)	(filing date)

<u>60/304,553</u>	<u>July 11, 2001</u>
(Application Serial No.)	(filing date)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of first inventor Samuel J. Danishefsky
Inventor's signature _____ Date: _____
Residence 22 Brayton Street, Englewood, New Jersey 07631 US
Citizenship US
Post Office Address Same

Full name of second inventor Robert M. Garbaccio
Inventor's signature  Date: 2/7/02
Residence 133 Addison Lane, Lansdale, Pennsylvania 19446 US
Citizenship US
Post Office Address Same

Full name of third inventor Daniel K. Baeschlin
Inventor's signature _____ Date: _____
Residence In der Schappe 141, CH-4144, Arlesheim, Switzerland
Citizenship CH
Post Office Address Same

Full name of fourth inventor Shawn J. Stachel
Inventor's signature _____ Date: _____
Residence 422 Longleaf Drive, Perkasio, Pennsylvania 18944 US
Citizenship US
Post Office Address Same

Full name of fifth inventor David Solit
Inventor's signature _____ Date: _____
Residence 450 E. 63rd Street, Apt. 4L, New York, New York 10021 US
Citizenship US
Post Office Address Same

Full name of sixth inventor Neal Rosen

Inventor's signature _____ Date: _____

Residence 171 Jones Road, Englewood, NJ 07631 US

Citizenship US

Post Office Address Same

3329446_1.DOC



ATTORNEY'S DOCKET NO.: 2003080-0083 (SK-943-US)

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PCT Applications designating the United States:

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Inventor's signature _____ Date: _____

Residence 22 Brayton Street, Englewood, New Jersey 07631 US

Citizenship US

Post Office Address Same

Full name of second inventor Robert M. Garbaccio

Inventor's signature _____ Date: _____

Residence 133 Addison Lane, Lansdale, Pennsylvania 19446 US

Citizenship US

Post Office Address Same

Full name of third inventor Daniel K. Baeschlin

Inventor's signature *D. Baeschlin* Date: 6th February 2002

Residence In der Schappe 141, CH-4144, Arlesheim, Switzerland

Citizenship CH

Post Office Address Same

Full name of fourth inventor Shawn J. Stachel

Inventor's signature _____ Date: _____

Residence 422 Longleaf Drive, Perkasio, Pennsylvania 18944 US

Citizenship US

Post Office Address Same

Full name of fifth inventor David Solit

Inventor's signature _____ Date: _____

Residence 450 E. 63rd Street, Apt. 4L, New York, New York 10021 US

Citizenship US

Post Office Address Same

Full name of sixth inventor Neal Rosen

Inventor's signature _____ Date: _____

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(filing date)

(status-patented, pending, abandoned)

(Application Serial No.)

(filing date)

(status-patented, pending, abandoned)

PCT Applications designating the United States:

(PCT Appl. No.)

(U.S.S.N.)

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Provisional Application(s):

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July 11, 2001

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Inventor's signature _____ Date: _____

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Citizenship CH

Post Office Address Same

Full name of fourth inventor Shawn J. Stachel

Inventor's signature  Date: 7 Feb 2003

Residence 422 Longleaf Drive, Perkasio, Pennsylvania 18944 US

Citizenship US

Post Office Address Same

Full name of fifth inventor David Solit

Inventor's signature _____ Date: _____

Residence 450 E. 63rd Street, Apt. 4L, New York, New York 10021 US

Citizenship US

Post Office Address Same

Full name of sixth inventor Neal Rosen

Inventor's signature _____ Date: _____

Residence 171 Jones Road, Englewood, NJ 07631 US

Citizenship US

Post Office Address Same

3329446_1.DOC

ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Samuel J. Danishefsky** of Englewood, NJ; **Robert M. Garbaccio** of Lansdale, PA; **Daniel K. Baeschlin** of Arlesheim, Switzerland; **Shawn J. Stachel** of Perkasio, PA; **David Solit** of New York, NY; and **Neal Rosen** of Englewood, NJ hereby

Sell, assign and transfer to **Sloan-Kettering Institute for Cancer Research** a non-profit organization having offices at 1275 York Avenue, New York, NY, 10021 and its successors, assigns and legal representatives, all hereinafter referred to as the ASSIGNEE, the entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the provisional application filed **August 24, 2001**, Serial No. **09/938,754**, entitled "**Novel Macrocycles and Uses Thereof**" and in and to said application, and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

Agree that said ASSIGNEE may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said ASSIGNEE, agree to carry out in good faith the intent and purpose of this assignment by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said ASSIGNEE all facts known to us relating to said inventions and the history thereof, and generally by doing everything possible which said ASSIGNEE shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said ASSIGNEE.

Hereby request the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE.

Covenant with said ASSIGNEE that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us, and that full right to convey the same as herein expressed is possessed by us.

IN WITNESS WHEREOF, this 19 day of February 2002

Stephen E. Echos
Witness
510 E. 82nd Street
Apt. A NYC 10028
Address

Samuel J. Danishefsky

2/19/2002
Date

[Signature]
Witness
1175 York Ave
NY, NY 10021
Address

2/19/2002
Date

IN WITNESS WHEREOF, this _____ day of _____, 2001.

Robert M. Garbaccio

Witness

Date

Address

Witness

Date

Address

IN WITNESS WHEREOF, this _____ day of _____, 2001.

Daniel K. Baeschlin

Witness

Date

Address

Witness

Date

Address

IN WITNESS WHEREOF, this _____ day of _____, 2001.

Shawn J. Stachel

Witness

Date

Address

Witness

Date

Address

IN WITNESS WHEREOF, this 12th day of February, 2002

DES
David Solit

2/12/02
Date

Charles Johnson
Witness
318 Levinson Pl
Englewood, NJ 07631
Address

Vera Finck
Witness
45 Brooklyn Avenue
West Hempstead, NY 11552
Address

2/12/02
Date

IN WITNESS WHEREOF, this 7th day of February, 2002

NR
Neal Rosen

2/7/02
Date

Charles Johnson
Witness
318 Levinson Pl
Englewood, NJ 07631
Address

Vera Finck
Witness
45 Brooklyn Avenue
West Hempstead, NY 11552
Address

2/07/02
Date

ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Samuel J. Danishefsky** of Englewood, NJ; **Robert M. Garbaccio** of Lansdale, PA; **Daniel K. Baeschlin** of Arlesheim, Switzerland; **Shawn J. Stachel** of Perkasio, PA; **David Solit** of New York, NY; and **Neal Rosen** of Englewood, NJ hereby

Sell, assign and transfer to **Sloan-Kettering Institute for Cancer Research** a non-profit organization having offices at 1275 York Avenue, New York, NY, 10021 and its successors, assigns and legal representatives, all hereinafter referred to as the ASSIGNEE, the entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the provisional application filed **August 24, 2001**, Serial No. **09/938,754**, entitled "**Novel Macrocycles and Uses Thereof**" and in and to said application, and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

Agree that said ASSIGNEE may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said ASSIGNEE, agree to carry out in good faith the intent and purpose of this assignment by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said ASSIGNEE all facts known to us relating to said inventions and the history thereof, and generally by doing everything possible which said ASSIGNEE shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said ASSIGNEE.

Hereby request the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE.

Covenant with said ASSIGNEE that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us, and that full right to convey the same as herein expressed is possessed by us.

IN WITNESS WHEREOF, this _____ day of _____, 2001.

Samuel J. Danishefsky

Witness

Date

Address

Witness

Date

Address

IN WITNESS WHEREOF, this 7th day of FEBRUARY, 2001.

Robert M. Garbaccio
Robert M. Garbaccio

Feb 7, 2002
Date

Ed Tasler
Witness

131 Church Rd #10-K
North Wales PA 19454
Address

Chapman
Witness

201A 3 mile Run Road
Sellersville PA 18960
Address

7-FEB-2002
Date

IN WITNESS WHEREOF, this _____ day of _____, 2001.

Daniel K. Baeschlin

Witness

Date

Address

Witness

Date

Address

IN WITNESS WHEREOF, this _____ day of _____, 2001.

Shawn J. Stachel

Witness

Date

Address

Witness

Date

Address

IN WITNESS WHEREOF, this _____ day of _____, 2001.

David Solit

Witness

Date

Address

Witness

Date

Address

IN WITNESS WHEREOF, this _____ day of _____, 2001.

Neal Rosen

Witness

Date

Address

Witness

Date

Address



ATTORNEY DOCKET NO.: 2003080-0083 (SK-943-US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Danishefsky *et al.* Examiner :
Serial No. : 09/938,754 Art Unit : 1651
Filed : August 24, 2001
For : *Novel Macrocycles and Uses Thereof*

BOX MISSING PARTS
ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

APPOINTMENT OF ATTORNEY

The undersigned hereby appoints Sam Pasternack, Registration No. 29,576;
Brenda Herschbach Jarrell, Registration No. 39,223; Kevin M. Tormey, Registration No. 41,351;
Karoline K. M. Shair, Registration No. 44,332; Elizabeth Nugent, Registration No. 43,839,
Valarie B. Rosen, Registration No. 45,698; Anne Marie Dinius, Registration No. 45,592;
C. Hunter Baker, Registration No. 46,533; Monica R. Gerber, Registration No. 46,724;
Elijah Cocks, Registration No. 47,499; and John A. Hamilton, III, Reg. No. 48,946, as its
attorneys and agents for prosecution of matters relating to the above-identified patent application
and to conduct all business in the United States Patent and Trademark Office.

All correspondence should be sent to Karoline K.M. Shair, Ph.D., Choate, Hall &
Stewart, Exchange Place, 53 State Street, Boston, Massachusetts 02109.

Respectfully submitted,

Name: James S. Quirk

Title: Senior Vice President, Research Resources Management

On behalf of Sloan-Kettering Institute for Cancer Research

Dated: 2/7/02



ATTORNEY DOCKET NO.: 2003080-0083 (SK-943-US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Danishefsky *et al.* Examiner :
Serial No. : 09/938,754 Art Unit : 1651
Filed : August 24, 2001
For : *Novel Macrocycles and Uses Thereof*

BOX MISSING PARTS
ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:


WRITTEN ASSERTION OF SMALL ENTITY STATUS
UNDER 37 CFR §1.27(a)(3)
NON-PROFIT ORGANIZATION

The undersigned hereby asserts entitlement to small entity status as a non-profit organization under 37 CFR §1.27(a)(3) on behalf of Sloan-Kettering Institute for Cancer Research.

This assertion is made on the ground that Sloan-Kettering Institute for Cancer Research is either:

- (a) a university or other institution of higher education located in any country;
- (b) an organization of the type described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 USC §501(c)(3)) and exempt from taxation under section 501(a) of the Internal Revenue Code (26 USC §501(a));
- (c) any nonprofit scientific or educational organization qualified under a nonprofit organization statute of a state of this country (35 USC §201(i)); or
- (d) any nonprofit organization, located in a foreign country, that would qualify as a nonprofit organization under paragraphs (b) or (c) above if it were located in this country, and *has not* assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license, any rights in the above-referenced patent application to any party who does not qualify for small entity status either as a person, a small business concern, or a nonprofit organization under 37 CFR §1.27.

Respectfully Submitted,


Name: James S. Quirk
Title: Senior Vice President, Research Resources Management
Date: 2/7/02

CHOATE, HALL & STEWART
53 State Street
Exchange Place
Boston, MA 02109
Phone: (617) 248-5000
Fax: (617) 248-4000
3329539_1.DOC

ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Samuel J. Danishefsky** of Englewood, NJ; **Robert M. Garbaccio** of Lansdale, PA; **Daniel K. Baeschlin** of Arlesheim, Switzerland; **Shawn J. Stachel** of Perkasio, PA; **David Solit** of New York, NY; and **Neal Rosen** of Englewood, NJ hereby

Sell, assign and transfer to **Sloan-Kettering Institute for Cancer Research** a non-profit organization having offices at 1275 York Avenue, New York, NY, 10021 and its successors, assigns and legal representatives, all hereinafter referred to as the ASSIGNEE, the entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the provisional application filed **August 24, 2001**, Serial No. **09/938,754**, entitled "**Novel Macrocycles and Uses Thereof**" and in and to said application, and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

Agree that said ASSIGNEE may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said ASSIGNEE, agree to carry out in good faith the intent and purpose of this assignment by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said ASSIGNEE all facts known to us relating to said inventions and the history thereof, and generally by doing everything possible which said ASSIGNEE shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said ASSIGNEE.

Hereby request the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE.

Covenant with said ASSIGNEE that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us, and that full right to convey the same as herein expressed is possessed by us.

IN WITNESS WHEREOF, this 6 day of February, ²⁰⁰²~~2001~~.

Samuel J. Danishefsky

Witness

Date

Address

Witness

Date

Address

IN WITNESS WHEREOF, this _____ day of _____, 2001.

Robert M. Garbaccio

Witness

Date

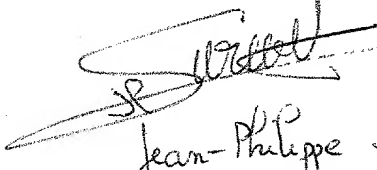
Address

Witness

Date

Address

IN WITNESS WHEREOF, this 6 day of February, ²⁰⁰²~~2001~~.



Witness

MORPHOCHEM AG

SCHWARZWALDALEE - BASEL

Address



Witness

MORPHOCHEM AG

SCHWARZWALDALEE - BASEL

Address



Daniel K. Baeschlin

6th February 2002
Date

6.2.2002
Date

IN WITNESS WHEREOF, this _____ day of _____, 2001.

Shawn J. Stachel

Witness

Date

Address

Witness

Date

Address

IN WITNESS WHEREOF, this _____ day of _____, 2001.

David Solit

Witness

Date

Address

Witness

Date

Address

IN WITNESS WHEREOF, this _____ day of _____, 2001.

Neal Rosen

Witness

Date

Address

Witness

Date

Address

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IN WITNESS WHEREOF, this _____ day of _____, 2001.

Samuel J. Danishefsky

Witness

Date

Address

Witness

Date

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IN WITNESS WHEREOF, this _____ day of _____, 2001.

Robert M. Garbaccio

Witness

Date

Address

Witness

Date

Address

IN WITNESS WHEREOF, this _____ day of _____, 2001.

Daniel K. Baeschlin

Witness

Date

Address

Witness

Date

Address

IN WITNESS WHEREOF, this 7th day of February, 2001.

Shawn J. Stachel

Date

Witness

405 Braeburn Terrace
Lansdale, PA 19446

Address

Witness

238 East Broad Street
Snyderton PA 18964

Address

Date

IN WITNESS WHEREOF, this _____ day of _____, 2001.

David Solit

Witness

Date

Address

Witness

Date

Address

IN WITNESS WHEREOF, this _____ day of _____, 2001.

Neal Rosen

Witness

Date

Address

Witness

Date

Address